

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David BERGMAN et al.

Application No.: 10/560,138

Confirmation No.: 1090

Filed: (Intl.) March 23, 2005

Art Unit: 1641

For: ASSAY DEVICE AND METHOD

Examiner: J. A. Diramio

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MAIL STOP: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

INTRODUCTORY COMMENTS

This is in response to the Non-Final Office Action dated April 23, 2009 (Paper No. 20090420), for which a response was due on July 23, 2009. Filed herewith is a Petition and fee for 2 months extension of time, thereby extending the deadline for response to September 23, 2009. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Amendments to the Drawings begin on page 12 of this paper and include attached replacement sheets.

Remarks/Arguments begin on page 13 of this paper.